

The Honorable Robert J. Bryan

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT TACOMA

DANIEL BREWER,

Plaintiff,

v.

CITY OF BAINBRIDGE,

Defendants.

NO. C04-5293RJB

JOINT MOTION FOR STAY OF
PROCEEDINGS AND [PROPOSED]
ORDER STAYING PROCEEDINGS

I. JOINT MOTION

The parties, by and through their attorneys of record, stipulate to a complete stay of proceedings and stipulate to striking the trial date, and respectfully move the Court for entry of an order staying these proceedings and striking the trial date. The parties are engaged in ongoing settlement negotiations and seek a stay of this lawsuit in order to pursue settlement. The parties request a stay of 60 days to complete settlement discussions and for the preparation and execution of settlement documents.

Because the parties intend to devote their full attention to settlement and because settlement is likely, the parties do not believe it is productive to continue with their pre-trial

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1 preparation. Yet with trial set for January 23, 2006, the parties would have to devote
2 themselves to considerable trial preparation, including completing expert depositions, in the
3 next month. As a result, the parties request that as part of the stay of this matter, the Court
4 strike the January 23, 2006 trial date.
5

6 A proposed order follows.

7 Dated this 6 day of October, 2005.

8 Respectfully submitted,

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II. ORDER

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the proceedings in this matter shall be stayed. This stay shall remain in effect until the case has been settled. If the parties have not settled this case by December 6, 2005, then either party may move to lift the stay at that time.

IT IS FURTHER ORDERED that, if not settled and dismissed before then, the parties shall provide the Court with a status report on or before December 13, 2005.

IT IS FURTHER ORDERED that the trial date of January 23, 2006 is stricken. If this matter is not fully resolved by settlement, trial will be rescheduled for a later date.

Dated this 7th day of October, 2005.

/S/ Robert J. Bryan
THE HONORABLE ROBERT J. BRYAN
UNITED STATES DISTRICT COURT JUDGE

1 Presented by:

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Brewer\USDC\Joint Motion for Stay

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